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16 Attorneys for Defendant  
17 AURORA LOAN SERVICES LLC

18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO

20 ASHARFUN HAFIZ

21 Plaintiff,

22 v.

23 MORTGAGEIT, INC., a business entity, form  
24 unknown; AURORA LOAN SERVICES, a  
25 business entity, form unknown, QUALITY  
26 LOAN SERVICE CORP., a business entity, form  
27 unknown; and all persons unknown claiming any  
28 legal or equitable right, title, estate, lien or interest  
in property described in this Complaint adverse to  
Plaintiff's title thereto, and DOES 1 through 30,  
inclusive,

Defendants.

Case No.: 3:09-cv-1963-SI  
Hon. Susan Illston

**STIPULATION BETWEEN THE  
PARTIES TO VOLUNTARILY REMAND  
MATTER TO STATE COURT**

Complaint Filed: April 27, 2009  
Trial Date: None

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1 **TO THE COURT ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 Plaintiff Asharfun Hafiz (**plaintiff**) and defendants Aurora Loan Services LLC (**Aurora**) and  
3 Quality Loan Services Corp. (**Quality**) stipulate as follows:

4 WHEREAS, plaintiff filed her complaint in the Contra Costa County Superior Court on April  
5 27, 2009;

6 WHEREAS, Aurora removed the case to federal court based on federal question on May 5,  
7 2009 and Quality consented and joined in the removal on May 27, 2009;

8 WHEREAS, plaintiff dismissed defendant MortgageIT, Inc. from the action on June 12, 2009;

9 WHEREAS, plaintiff filed a motion to remand the matter to state court on August 21, 2009;  
10 and

11 WHEREAS, in the interests of reducing costs to the parties in having to brief the motion to  
12 remand, the parties stipulate to remanding the case to the Contra Costa County Superior Court.

13 NOW THEREFORE, the parties agree to the following:

14 1. That the matter be remanded back to the Contra Costa Superior Court upon the Court's  
15 order; and

16 2. That all pending hearings before this Court be taken off-calendar.

17 IT IS SO STIPULATED.

18 Dated: September 3, 2009 Respectfully submitted,

19 **AKERMAN SENTERFITT LLP**

20 By: /s/ Justin D. Balser

21 Justin D. Balser  
22 Attorneys for Defendant  
AURORA LOAN SERVICES LLC

23 Dated: September 3, 2009 **LAW OFFICE OF MAHESH BAJORIA**

24 By: /s/ Mahesh Bajoria\*

25 Mahesh Bajoria  
26 Attorneys for Plaintiff  
ASHARFUN NISHA HAFIZ  
27 \* e-signature and e-filing approved via email dated  
September 3, 2009

1 Dated: September 3, 2009

**MCCARTHY & HOLTHUS, LLP**

2 By: /s/ David C. Scott\*

3 David C. Scott

4 Attorneys for Defendant

5 QUALITY LOAN SERVICES CORP.

6 \* *e-signature and e-filing approved via email dated*  
7 *September 1, 2009*

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9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO

11 ASHARFUN HAFIZ

12 Plaintiff,

13 v.

14 MORTGAGEIT, INC., a business entity, form  
15 unknown; AURORA LOAN SERVICES, a  
16 business entity, form unknown, QUALITY  
17 LOAN SERVICE CORP., a business entity, form  
18 unknown; and all persons unknown claiming any  
legal or equitable right, title, estate, lien or interest  
in property described in this Complaint adverse to  
Plaintiff's title thereto, and DOES 1 through 30,  
inclusive,

19 Defendants.

20 Case No.: 3:09-cv-1963-SI  
Hon. Susan Illston

21 [PROPOSED] ORDER REMANDING  
22 CASE TO STATE COURT

23 Complaint Filed: April 27, 2009  
24 Trial Date: None

25 The Court having considered the parties' stipulation filed on September 3, 2009, and for good  
26 cause appearing, the Court orders as follows:

27 1. This matter is hereby remanded from the United States District Court, Northern  
28 District of California to the Contra Costa County Superior Court; and

29 2. All pending hearings are hereby taken off-calendar.

30 IT IS SO ORDERED.

31 Date: \_\_\_\_\_



32 Honorable Susan Illston  
33 United States District Court Judge